SPECIAL INTERNATIONAL TRIBUNAL ON THE VIOLATION OF HUMAN RIGHTS OF POLITICAL PRISONERS AND PRISONERS OF WAR IN UNITED STATES PRISONS AND JAILS

December 7 - 10, 1990
Hunter College
New York, New York

Members of the Special International Tribunal

Frank Badohu
Barrister and solicitor of the Supreme Court of Ghana;
representative of the African Jurists Association in Ghana.

Jawad Boulus
Attorney, Palestine

Lord Anthony Gifford
Barrister in London and a member of the Northern Ireland Bar
and Jamaican Bar; Member of the House of Lords, United Kingdom.

Norman Paech
Professor of Public International Law and Constitutional Law at
the University of Hamburg, Germany.

José Roberto Rendón Vásquez
Attorney and Professor, Faculty of Law and Political Science at
Universidad Nacional Mayor de San Marcos, Perú.

Celina Romany
Professor of Jurisprudence, Constitutional Law and Human Rights,
City University of New York Law School.

Toshi Yuki Tanaka
Professor of Political Science at Melbourne University
Australia.

George Wald
Professor Emeritus of Biology at Harvard University,
Nobel Prize Winner for Biology, U.S.A.

Coordinator: Dr. Luis Nieves Falcón

Special Prosecutors:

Lennox S. Hinds, Esq.,
Jan Susler, Esq.,
Robert Boyle, Esq.,
Bruce Ellison, Esq.,
Roger Wareham, Esq.

Counsel to the Tribunal

Richard Harvey, Esq.
Daniel Nina, Esq.

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I. CONSTITUTION OF THE TRIBUNAL

The Special Tribunal on Violations of Human Rights of Political Prisoners and Prisoners of War in United States Prisons and Jails was convened by 88 sponsoring and endorsing organizations from all parts of the United States. The members of the Special Tribunal assumed jurisdiction pursuant to accepted principles of international law approved and adopted by the world community under the United Nations Charter, in accordance with the precedents of the Nuremburg and Tokyo Tribunals and following procedures approved by the Economic and Social Council of the United Nations (Resolution 1503 (XLVIII)).

The Tribunal received extensive written and oral evidence from political activists and experts testifying in support of a detailed indictment of the United States Government, alleging, inter alia, the denial of the right of peoples in the United States and Puerto Rico to self-determination; the criminalization of the legitimate struggle against illegal acts committed by the Government of the United States; the denial of the rule of law to those engaged in such struggles and the use against them of torture, inhuman and degrading treatment.

The Special Tribunal does not sit as a court of law but, like the Bertrand Russell Tribunals on the U.S. war against the Vietnamese people, this Tribunal applies principles of customary international human rights law. Article 38 of the Statutes of the International Court of Justice recognizes the authoritative effect of the findings of such tribunals on contemporary standards of international law.

The Defendant Government and its agencies are bound to respect international human rights law, not least because Article VI of the Constitution of the United States provides that treaties and other international agreements are "the supreme law of the land."

Although customary principles of law require Petitioners to exhaust their domestic remedies before having recourse to international fora, the overwhelming weight of testimony presented to the Tribunal showed that the courts and judicial officers of the United States routinely refuse to allow Petitioners to raise defenses based on international law and that relief under the law is routinely denied. Therefore we find that Petitioners have in fact exhausted all domestic remedies and that the Special Tribunal is entitled to review all of the cases presented for its consideration.

The Tribunal is satisfied that all appropriate steps were taken by Petitioners to inform the Defendant Government and its agencies of the nature and purposes of the Tribunal hearings, including the service of the indictment on President George Bush and other appropriate federal and state officials, and that every opportunity was given to Defendants to attend and present testimony. Although Defendants failed to avail themselves of the opportunity to testify, many of the documents and expert witnesses indicated fairly the basis of the Government's opposition to Petitioners' claims, and the Tribunal has duly noted Defendants' views in reaching its findings.

In examining the evidence and reaching its conclusions, the Tribunal has taken and employed the following definitions:

"Self-Determination": the right by virtue of which all peoples are entitled freely to determine their political status and to pursue their economic, social and cultural development. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit and international law. In no case may a people be deprived of its own means of subsistence. (Common Article 1(1) of the International Human Rights Covenants, 1966)

"Prisoner of War": those combatants struggling against colonial and alien domination and racist regimes captured as prisoners are to be accorded the status of prisoners of war and their treatment should be in accordance with the provisions of the Geneva Conventions Relative to the Treatment of Prisoners of War, of 12 August 1949. (General Assembly Resolution 3103 (XXVIII)).

"Genocide": any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious groups as such:

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the groups;
(c) Deliberately inflicting on the groups conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the groups;
(e) Forcibly transferring children of the group to another group. (International Convention on the Prevention and Punishment of the Crime of Genocide, 1948 (Article 2)).

"Political Prisoner": a person incarcerated for actions carried out in support of legitimate struggles for self-determination or for opposing the illegal policies of the United States government and/or its political sub-divisions.

II. OVERVIEW

1990 has been a landmark year in the world-wide campaign for the recognition and freedom of political prisoners. The release of Nelson Mandela, Walter Sisulu and other anti-apartheid fighters, and the negotiations for the release of all South African political prisoners, have shown that even the most repressive and intransigent regimes must at some point acknowledge the existence of political prisoners and account for their treatment and continuing imprisonment. For decades the South African government denied the existence of political prisoners, branding imprisoned anti-apartheid fighters as criminals and terrorists. However, the growing liberation struggle of the people of South Africa and world-wide solidarity forced the government of South Africa to abandon this farcical denial of political prisoners. Similarly, the triumph of the liberation struggle of the Namibian people led by SWAPO resulted in the independence and self-determination of Namibia, constituting a resounding affirmation of customary principles of international human rights law.

Ironically, the U.S. government has expressed strong support, albeit selective, for the freeing of political prisoners throughout the world. At the same time, however, the U.S. government vociferously denies the existence of political prisoners at home and resolutely echoes a familiar refrain that those who claim to be political prisoners and prisoners of war are simply terrorists and criminals.

This Tribunal presents a unique and important opportunity to review carefully Petitioners' contention that the U.S. does indeed hold political prisoners and Prisoners of War.

The Tribunal members have approached this responsibility with the utmost of seriousness and careful scrutiny. The U.S. government must be held to the same standard of international law and human rights safeguards that it subscribes to for the other nations of the world. The denial of the existence of political prisoners and the consequent failure to afford such prisoners the fundamental protections of humanitarian international law constitute serious violations of human rights which, if found to be true, would require the immediate attention of world public opinion and rectification by the U.S. government.

Numerous supporting documents which are delineated in the appendix were also submitted. Of particular interest were documents of the Counter-Intelligence Program (COINTELPRO) of the U.S. Federal Bureau of Investigation (FBI) showing its program to disrupt and neutralize leaders and organizations of the African-American, Puerto Rican, Mexicano-Chicano and Native American self-determination struggles.

As we will spell out in more detail in the body of this document, the Tribunal finds that the U.S. judicial system (state and federal) has been used in a harsh and discriminatory manner against people struggling for self-determination within its borders and Puerto Rico, as well as

against other political opponents of the U.S. government. Some have been falsely accused and had evidence favorable to their defense destroyed or suppressed, others have been tried on overbroad conspiracy charges which rely on associations and beliefs as an essential element, and many have been tried in an armed camp atmosphere saturated with prejudicial publicity designed to intimidate and prejudice the juries before whom they were tried. Most of the Petitioners have also received draconian disproportionate sentences and have been subjected to torture, cruel, discriminatory and degrading punishment.

We also find that the Black and Mexican people living within the borders of the United States, and Native American and Puerto Rican people have the fundamental right to exercise self-determination and to seek and receive support from other opponents of repression, and that the U.S. government has carried out a consistent pattern and policy of repression against these peoples, their leaders and supporters.

We further find that captured combatants in a legitimate national liberation movement are entitled to the special protected status of Prisoner of War and should not be tried and imprisoned by the U.S. government as criminals. Rather, these captured national liberation fighters must be held separately under conditions in accordance with the Geneva Convention and immediate steps taken to transfer these combatants to neutral countries until all hostilities cease between their movements and the U.S. government.

We are mindful that the U.S. judicial system is promoted by many here and throughout the world as one of the most progressive and protective of individual rights. The claim that the U.S. does not have political prisoners has gone generally unchallenged. We believe that the evidence presented at the Tribunal overwhelmingly established the opposite case. The U.S. government uses its judicial system to repress the legitimate political movements opposing the government.

It is of critical importance for the international human rights community as well as all freedom-loving people to bring to world attention the plight of U.S. political prisoners.

III. THE RIGHT TO SELF-DETERMINATION

Over the last 30 years, since the passage in 1960 of the historic United Nations General Assembly Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514 (XV)) which called for the "speedy and unconditional end to colonialism in all its forms and manifestations," the right to self-determination has evolved to a peremptory norm of International Law - a norm accepted and recognized by the international community of states as a whole from which no derogation is permitted.

Of particular importance to the codification of this fundamental right, is the Universal Declaration of the Rights of People ("Algiers Declaration") which affirms that the peoples of the world "have an equal right to liberty, the right to free themselves from any foreign interference and to choose their own government, (and) the right, if they are under subjection, to fight for their liberation." This assurance is specified in Article 1, "Every people has the right to existence," and Article 6: "Every people has the right to break free from any colonial or foreign domination, whether direct or indirect, and from any racist regime."

In addition, U.N. Resolution 2625 (XXV) known as "The Declaration on the Principles of International Law Concerning Friendly Relations and Co-Operation Among States in Accordance with the Charter of the United Nations," adopted by consensus in 1970, provides authoritative clarity to the character and importance of the right to self-determination. Its preamble affirms that "the principle of equal rights and self-determination of peoples constitutes a significant contribution to contemporary law, and its effective application is of paramount importance for the promotion of friendly relations among States."

The Declaration mandates that every state has a duty to promote the principle of self-determination and to assist the United Nations in its realization so as to improve relations among states and "to bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned." The right of self-determination as a peremptory norm of international law has been confirmed by the International Court of Justice in its Advisory Opinion on Namibia (ICJ Reports 1971) and in its decision in the Western Sahara case (ICJ Reports 1975). As the Vienna Convention on the Law of Treaties provides, a peremptory norm of international law (Jus Cogens) cannot be abridged or superseded by any act of sovereign will, including a treaty.

Finally the two international covenants on human rights (International Covenant on Economic, Social, and Cultural Rights and International Covenant on Civil and Political Rights (which the United States has refused to endorse) are initiated by a common Article 1 (1) indicating a place of primacy for self-determination: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".

The Tribunal heard evidence by Puerto Rican, Native American, Black and Mexicano witnesses of their peoples' national development, characteristics, and continuing history of oppression. Witnesses also testified to the long train of repression against the organizations and leaders of their people. Each of these peoples satisfy the objective and subjective criteria for self-determination. Each perceive themselves as separate people and each suffer special targeting and oppression by the U.S. Government.

III. 1 NATIVE AMERICANS

This Tribunal received ample evidence on the history of the Native American people's struggle for their right to self-determination and on the genocide committed against this people by the United States Government.

The history of European and Native American relations reveals theft of 99% of the land base and genocidal practices of war, disease, alcohol, starvation and deculturalization which reduced the indigenous population from approximately 12.5 million to less than 227,000 by 1890.

Meeting substantial resistance, if not outright defeat, at times seeking alliances against others, what became the United States Government entered into some 371 treaties with the indigenous people of North America during the 18th and 19th centuries. The importance of these treaties was embodied in Article VI of the U.S. Constitution as the "supreme law of the land." By this principle, the United States Government has incorporated into its domestic law the content of the treaties signed with the Native American people. However, as was pointed out consistently in the evidence presented to the Tribunal, the U.S. Government has systematically violated or refused to respect the terms of the agreements reached with the Native American people.

Therefore, this Tribunal recognizes that, first, the Native Americans constitute a people within international law definitions who are carrying out a struggle for self-determination. Moreover, this Tribunal takes notice that, despite all the treaties signed by the U.S. Government with the Native American peoples, the U.S. has consistently denied those treaty rights to these peoples. In decisions of the U.S. Supreme Court such as Cherokee Nation v. Georgia, 30 U.S. 5 Pet. 1 [1831] and Worcester v. Georgia, 31 U.S. 6 Pet. 515 [1832], the Court established the principle that Native American people are domestic and dependent on the U.S. Government, thus denying their right to self-determination. After these two Supreme Court decisions, the so-called "plenary power" doctrine was initiated by the U.S. Government which denied the right of the Native American people to organize and govern themselves. This, for example, is the pattern followed by the enactment in 1924 of the U.S. Congress's Indian Citizenship Act (8 U.S.C.A. Sec. 1401). Through this Act U.S. citizenship was imposed upon the Native American people. In addition, in 1934 the U.S. Congress enacted the Indian Reorganization Act (25 U.S.C.A. Sec. 461) by which the U.S. Government decided to organize "tribal" councils to resemble corporate boards. The intention behind this was to reduce the autonomy of the Native American peoples to govern their own affairs.

Thus, this Tribunal after carefully hearing various witnesses and taking judicial notice of many historical aspects of U.S. Government policies towards the Native American peoples, considers that the practices of the U.S. Government are in breach of Common Article 1 of the United Nations International Covenants of 1966 (on Economic, Social and Cultural Rights and on

Civil and Political Rights) guaranteeing amongst other things, the right of the people to self-determination.

Second, this Tribunal considers that the U.S. Government, has also conducted a policy of genocide against these people. The Tribunal follows the definition of genocide as established by Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide, 1948. This Tribunal recognizes the most cruel policies occurred in the early years of the U.S. republic, when a plan of physical extermination was conducted against the Native American people. After failing to completely exterminate them, a new policy was designed to impose compulsory assimilation, so as to destroy the history and culture of the Native American people.

Tactics employed to achieve this end include the criminalization of Native religious practices, forced transfer of children through mandatory indoctrination at boarding schools for extended periods, adoption by non-Indians, enactment of laws designed to destroy traditional culture, e.g. by prohibiting the holding of land in common. Implementation of policies such as "termination" (where the Federal government literally dissolved selected indigenous populations) and "relocation" (systematic dispersal of Native populations) were combined by the U.S. Government with declarations that certain groups of living peoples were "extinct". Systematic involuntary and uninformed sterilization of Native American women has compounded these genocidal policies, as has the use of the "blood quantum" method of identification to statistically manipulate out of existence certain groups of Native Americans.

Native Americans are the poorest population group in North America with the highest incidence of infant mortality, death by exposure, tuberculosis, plague disease, malnutrition and teen suicide. The average life expectancy of an American Indian male is 44.6 years and for females it is less than three years longer. For white males the figure is 74 years.

The policy of genocide has been legitimized by different laws approved by the U.S. Congress, for example, the General Allotment Act (25 U.S.C.A. Sec. 331 [1887]) used to deprive the Native American people of the land that they consider common and sacred.

In addition, this Tribunal has taken notice of documents that proved the collaboration by the Bureau of Indian Affairs during the 1970's, together with the Indian Health Service, in the systematic performance of involuntary sterilization on Native women. This particular practice, in conjunction with other practices of the U.S. Government, clearly manifests a pattern of committing genocide against the Native American people.

III. 2 PUERTO RICANS

Of the four peoples represented before the Tribunal, the right to self-determination for the people of Puerto Rico is the clearest and most recognized by the international community. With a separate territory, language and culture, the plight of Puerto Rico constitutes one of the last remaining classic colonial cases in the world.

Beginning in 1973 and 1976 and then in each succeeding year, the United Nations Special Committee on Decolonisation has reviewed the case of Puerto Rico, reaffirmed the right of the Puerto Rican people to self-determination and called upon the United States to stop all interference with the free and full exercise of that right. The U.S. has refused to follow these mandates and has consistently used all its coercive powers to block the case of Puerto Rico from being considered by the entire General Assembly.

The Decolonisation Committee resolutions, plus pronouncements from the non-aligned countries and the International Association of Democratic Lawyers, provide authoritative support for Puerto Rico's right to self-determination. Even the President of the United States, George Bush, in his recent call for a referendum on the island's status, has acknowledged that the Puerto Rican people have not chosen freely their present relationship with the U.S.

This Tribunal also adopts the findings and verdict of the Permanent Peoples' Tribunal on Puerto Rico (Barcelona, January 27-29, 1989), which declared in part:

> 1. That Puerto Rico and its people have the right to freely determine their political, economic social and cultural condition in accordance with the Algerian Declaration and the principles of International Law.
>
> 2. That the Constitution of the Commonwealth of Puerto Rico is not the proper way for the Puerto Rican people to exercise their self-determination right, whereas in the referenda which have been carried out on the Island, the required guarantees which govern the true exercise of said right, in accordance with the Resolutions of the U.N., have not been observed.
>
> 3. That the U.S. has an international duty to respect the Right of Puerto Rico to its self-determination, in accordance with the obligations it has conventionally and customarily assumed.

Regrettably, the United States Government refused to participate in the Barcelona Tribunal and has ignored its findings.

As clear as the Puerto Rican people's right to self-determination is the historical record that such right has been denied to that people. Testimony established a military, political, psychological, economic, ideological, cultural and linguistic domination by U.S. colonial power over Puerto Rico since 1898, the beginning of the U.S. invasion and occupation. The evidence also was compelling as to the use of repression against the national movement for independence,

its leaders and organizations. The Nationalist Party and its supporters were fiercely repressed in the 1930's and again in the 1950's when a mass resistance to U.S. attempts to eliminate the independence movement resulted in the killing and arrest of hundreds of people.

Today that repression continues. Seventeen Prisoners of War or political prisoners are serving draconian sentences, exiled from their homeland to jails in the United States. The FBI and the grand jury system are used to investigate, intimidate and intern independence activists and supporters. Thousands of others have been placed under surveillance and on "subversive lists" for their pro-independence sentiments. Presently nine more independence activists and leaders face conspiracy charges in Hartford, Connecticut, hundreds of miles from their homeland.

It should also be noted that some of the colonial conditions imposed on the people of Puerto Rico have genocidal characteristics. These include the forced sterilization of 33% of Puerto Rican women of child-bearing age; the economically forced migration to the United States of one half of Puerto Rico's population; the consequent deculturalization of the population; and one of the world's highest rates of suicide, drug abuse and mental illness.

We again quote from the verdict of the Barcelona Tribunal as to the obligation of the U.S. government to:

> a) acknowledge the political prisoner status of those Puerto Ricans incarcerated due to their work and militancy in favor of Puerto Rico's independence and to grant a general amnesty to all Puerto Ricans currently incarcerated because of their involvement in the struggle against colonialism.
>
> b) relinquish the current powers the U.S. Congress has to amend and approve the decisions made by the representative bodies and government of Puerto Rico.
>
> c) completely transfer any power the U.S. Congress or the U.S. government may have over Puerto Rico, to a deliberative body with constitutional character, made up of representatives from all the political and social forces of Puerto Rico chosen on an equal elective basis.
>
> d) negotiate such measures, as a transitional status of the juridical and political condition of Puerto Rico, until the self-determination right is effectively exercised.

The Barcelona Tribunal further called upon the United States government to accord Prisoner of War status to those Puerto Rican prisoners captured as anti-colonial combatants.

III. 3. BLACK PEOPLE IN THE UNITED STATES

It is an uncontested historical fact that Africans, forcibly brought to the area which would become the United States, came from various tribes and regions of Africa. In addition, these kidnapped Africans spoke many tongues and were forged into a new and distinct people, with distinct problems, requiring unique solutions, during the three century ordeal of chattel slavery. It is also historically documented that these Africans and their descendants were considered "three-fifths" of a human being, thereby necessitating an elaborate system of laws, cultural norms and religious canons to deprive people of African descent of their rights as human beings and, by extension, to deprive them of their right to self-determination.

In 1865 at the end of the U.S. Civil War, the U.S. government abolished slavery (13th Amendment) freeing the kidnapped African slaves. Rather than allowing this freed people to choose or reject citizenship and to freely exercise the right to self-determination, the 14th Amendment imposed citizenship upon them, as the Jones Act of 1917 would later do to Puerto Ricans and as the Indian Citizenship Act did to the Native Americans in 1924.

There have been various strategies, necessitated by a system of white supremacy, pursued by Black organizations in the United States in their efforts to obtain freedom and justice for their people. The main strategies at work today within the Black movement are the struggle for independent political power; forms of community control and autonomy; and some groups who advocate independence of the New Africa nation. U.N. General Assembly Resolution 2625 expresses the options available to a people entitled to exercise the right to self-determination:

> "the establishment of a sovereign and independent state, the free association or integration with an independent state or the emergence of any other political status freely determined by a people, constitute modes of implementing the right of self-determination by that people."

Whichever strategy prevails which brings about genuine self-determination is for Black people in the United States to decide. However, it is clear that the Black people of the U.S. have not been allowed to freely exercise their right to self-determination. The evidence overwhelmingly established an unbroken pattern of repression against Black organizations and activists fighting for their human, political, economic and civil rights.

While the Tribunal recognizes that the right of self-determination for Black people in the U.S. has not previously been established by international bodies or tribunals, we do not feel that this lack of precedent is determinative of the issue. Rather, this Tribunal believes that the evidence presented before us strongly supports the claim that Black people living within the borders of the United States are a distinct people entitled to self-determination.

Equally compelling is the evidence that Black people in the U.S. have been forcibly denied

the freedom to exercise that right. From the inhuman outrage of slavery up to the present circumstance of attacks on community and political organizations, Black people in the United States have never been given the opportunity to choose their destiny. The documents submitted which establish this conclusion are the FBI Counter-Intelligence Program and the testimony on the targeting and repression of the Black Panther Party (BPP), Republic of New Afrika (RNA), Student Nonviolent Coordinating Committee (SNCC), Southern Christian Leadership Conference (SCLC), the Move organization and the Black Men's Movement against Crack. The evidence also established that the Ku Klux Klan and other white supremacist hate groups functioned with impunity and often with the complicity of the government in committing acts of violence and intimidation against the Black community.

The history and treatment of Black people in the United States also supports a claim that the U.S. Government is guilty of the crime of genocide against the Black people. There is no question that during the kidnapping of Africans in the slave trade, and in the barbaric Middle Passage to North America, millions of Blacks were killed. In addition, during the more than 200 years of chattel slavery, Black people were wantonly murdered, savagely brutalized and denied all basic human rights.

The condition of Black people living in the United States today strongly suggests that policies of the U.S. Government are designed to lead to the elimination of Black people. The Tribunal was presented with evidence that:

(1) the infant mortality rate for Black people is double that for whites;

(2) Black women, regardless of class, are twice as likely to bear low weight babies than white women;

(3) the gap in life-expectancy rates between Blacks and whites has recently widened from 5.6 to 6.2 years, and "Blacks today have a life expectancy already reached by whites in the 1950's or a lag of about 30 years;"

(4) the rate of survival for Black males over 40 years old in Harlem, New York City, is lower than for men in Bangladesh;

(5) dangerously high blood pressure is a hidden cost of racial prejudice at least for some Blacks;

(6) in New York City "increasingly large numbers of women of child bearing age are dying . . . combined with the deaths of men in the same age group, the result is the destruction of families and the orphaning of tens of thousands of children, most in low-income African-American neighborhoods;"

(7) AIDS is "more and more becoming a disease of poor, Black and Hispanic heterosexuals in the inner city." It is the leading killer of Black women in the 15-44 year age group in New York and New Jersey.

(8) unemployment for Blacks is double the rate for whites, and nearly 50% of Black teenagers are unable to find work;

(9) white families earn 45.5% more than Black families.

III. 4 MEXICAN PEOPLE (CHICANOS) LIVING IN THE UNITED STATES

Mexican people living in the North of their country came under the authority of the U.S. government after the Mexican-American War of 1841, a war generally recognized as expansionist and unjust and which deprived Mexico of 50% of its territory.

After the conquest and occupation there was a continuing policy of brutal repression and exploitation of Mexican people throughout the occupied territories, including numerous lynchings and other killings.

Mexicano people organized resistance to, and have fought against, this occupation. Among the most famous Mexicano resistance fighters are Tiburcio Vazquez, Joaquin Murietta and the Cortez and Espinoza brothers. Also, Juan Nepomucemo Cortina from Texas who, for fifteen years waged guerrilla warfare against the U.S. government. Armed clandestine organizations also emerged like La Mano Negra and Las Gorras Blancas. In 1915, the Plan de San Diego was another armed uprising calling for self-determination and independence of the occupied territories. It was violently repressed.

Armed Rangers and other law enforcement agencies who formed in California, New Mexico, Texas and Arizona were essentially private vigilantes organized to repress Mexicanos with the consent of the U.S. government. Between 1915 and 1920 about 5,000 Mexicanos were killed along the border by the Texas Rangers, who have also been used to police migratory labor, striking unions, civil rights activists and organizations, and to beat up Mexicano-Chicano candidates running for elected positions.

The FBI and grand jury have been used to repress the Mexicano/Chicano resistance movement. Beginning in the late 1930's, the FBI has consistently investigated and monitored Mexicano/Chicano organizations such as LULAC, the GI Forum, the Associacion Nacional Mexico-Americano. In the 1950's the FBI created the Border Coverage Program (BOCOV) as part of COINTELPRO. It maintained offices both in the occupied territories and Mexico. Additionally, the Border Patrol and the Immigration and Naturalization Service are special police agencies created primarily to be used against the Mexicano people.

All these repressive actions are supplemented by the terrorist activities of the Ku Klux Klan against Mexicanos/Chicanos.

The homes of Mexicano/Chicano resistance fighters have been bombed and many have been killed. Among the latter are Ricardo Falcon, Rito Canales, Antonio Cordova and Los Seis de Boulder.

The Tribunal heard that a United States border separates the Mexicano/Chicano people and that since the 1850's "Los Rinches" (the Rangers), a police terror force, have killed 20,000 Mexicano/Chicanos. There have also been countless lynchings by North Americans. There is a

high incidence of poverty, malnutrition and a proliferation of drugs (50% of incarcerated Mexicano/Chicanos are held for drug offenses). Not only is there a high rate of premature births but although Mexicano/Chicanos comprise 8% of the U.S. population, 25% of all pediatric AIDS cases are found among Mexican/Chicano children. Overall, there is a grossly disproportionate incidence of AIDS infection compared with the general population.

Mexicano/Chicanos have also been subjected to a policy of cultural assimilation, principally directed towards their Spanish language. The issue has become more acute with the newly imposed legislation compelling the use of the English language only and forbidding the use of Spanish in all official activities including schooling of Mexicano children.

The Tribunal recognizes the claim that the Mexicano/Chicano people living within the borders of the United States are a people entitled to exercise their right to self-determination.

IV. PUERTO RICAN PRISONERS OF WAR

Among the Petitioners are 13 Puerto Rican women and men (Carlos Torres, Adolfo Matos, Dylcia Pagan, Ida Luz Rodriguez, Carmen Valentin, Elizam Escobar, Alejandrina Torres, Ricardo Jimenez, Alicia Rodriguez, Luis Rosa, Edwin Cortes, Alberto Rodriguez and Oscar Lopez Rivera) most of whom have been held in U.S. prisons since 1980. They are serving literal life sentences for their involvement with a clandestine Puerto Rican independence liberation group, Fuerzas Armadas de Liberacion Nacional (FALN). They are combatants in a struggle against colonialism and for national liberation in accordance with Article I, Paragraph 4 of Additional Protocol I to the 1949 Geneva Conventions, extending POW protections to "include armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes, in the exercise of their right of self-determination." Pursuant to the Resolutions of the United Nations General Assembly on the Rights of Colonial People and the Legal Status of Combatants Struggling Against Colonial and Alien Domination of Racist Regimes, which provides that combatants struggling against colonialism "are to be accorded the status of prisoners of war and their treatment should be in accordance with the Geneva Convention" (Resolution 3103 (XXVIII), 12 December 1973), these Puerto Rican combatants are entitled to be treated as Prisoners of War.

The U.S. has refused POW status to these anti-colonial fighters, claiming that it is not a signatory to the Additional Protocols. This refusal to accept universally recognized humanitarian protections for peoples fighting colonialism, apartheid and alien domination, should not and does not preclude the according of these protections.

Colonialism has been identified as a crime for over three decades. The U.S. General Assembly has consistently asserted that colonized and dependent people have the right to use all means available including armed struggle to resist colonialism. And, since the General Assembly Resolution 3103 was passed in 1973, captured anti-colonialism combatants have been entitled to POW status. This protected status for people fighting colonialism is specifically designed to assist the customary international law right to self-determination and to deter the colonial power from perpetuating the crime of colonialism.

The expansion of the definition of international conflicts in the Additional Protocols to the Geneva Convention, to include those struggling for national liberation, also constituted recognition by the international community that the protection of anti-colonial fighters was to be elevated to a customary norm of international law.

Clearly today, if not in 1977 when the Additional Protocols were first enacted, now that colonialism has been universally condemned and almost eradicated from the world, those who fight against colonialism are entitled to special protection and should not be criminalized by the

colonial power.

We find, therefore, that Puerto Rican combatants who have asserted their right to POW status are entitled not to be tried in the U .S. courts but to be protected under the Geneva Convention. We believe that these prisoners who have been illegally incarcerated and criminalized for over 10 years should be unconditionally released or at the very least, transferred to a neutral country.

Certain other Petitioners who are people struggling for self-determination for Black people in the United States and Native American people have also asserted the right to be considered as Prisoners of War. We believe that these claims have merit as these are peoples fighting against alien occupation or racist regimes. However, the evidence before the Tribunal does not allow us to reach a definitive conclusion at this time, and we recommend that there be further investigation into these claims.

V. WHITE NORTH AMERICAN OPPONENTS OF UNITED STATES GOVERNMENT POLICIES

Testimony was presented on behalf of white North Americans who have been imprisoned for protesting U.S. foreign and domestic policies and against militarism, war and nuclear armaments. The actions of these Petitioners have taken a variety of forms, from symbolic acts of sabotage of weapons of war by the Plowshares group, to armed actions against U.S. military or corporate targets supporting apartheid and intervention in Central America.

The Petitioners involved in these activities share a common belief that it is their responsibility as citizens of the United States to engage in acts of resistance intended to prevent or impede ongoing criminal activity in the conduct of the policies of the U.S. Government.

At the trials of these petitioners, United States courts have routinely denied them the opportunity to present a defense based upon a citizen's right to resist illegal state conduct and based upon their religious and/or political motivations. The Tribunal heard from an expert witness on international law that these defenses are well grounded in the First Amendment to the United States Constitution as well as the Tokyo and Nuremburg War Crimes Tribunals.

We conclude that the United States Government has criminalized and imprisoned white North Americans who have struggled in solidarity with national liberation movements and other peoples struggling for self-determination, for peace and against nuclear armaments and against racism, sexism and other forms of discrimination.

VI. CRIMINALIZATION AND DENIAL OF THE RULE OF LAW

"Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law..."

Preamble to the Universal Declaration of Human Rights, December 10, 1948.

It is a violation of international law for a state to attempt to criminalize the struggle of peoples to achieve self-determination. According to the authoritative United Nations Resolution 2625 (XXV) of 1970: "Every State has the duty to refrain from any forcible action which deprives peoples ... of their right to self-determination and freedom and independence", and Resolutions 33/22 and 33/24 (1978) which condemn the imprisonment and detention of people fighting colonialism.

We have heard testimony of the development of a system of repression in the United States, which uses the courts and judicial system as a key element to deny peoples' rights to self-determination and to disrupt people organizing to oppose illegal U.S. government policies.

The evidence shows that the U.S. Government is using a strategy which parallels certain other states (e.g. South Africa, Israel and British administration in the North of Ireland) confronting insurgent movements, through the creation of repressive and anti-democratic modifications to the legal system aimed at the suppression of radical political opposition. This counter-insurgency strategy allows for the enhancement of the power of law enforcement to surveil and infiltrate political groups as well as to coerce cooperation with police investigations and to criminalize political association.

The testimony showed that federal agents are authorized to spy on and infiltrate political, community and religious groups, and substantial evidence was received of such activity. In addition, the Tribunal was informed of the use of highly sophisticated electronic technology to carry out video- and audio surveillance at the homes and workplaces of members and supporters of the Puerto Rican liberation movement.

Additionally, we were informed of litigation in Puerto Rico which recently revealed the existence of more than 100,000 dossiers collected by the police on activists and supporters of the cause of independence who have been labelled "subversives" by the police because of their legitimate desire and work to end colonization.

The FBI, according to evidence received, also uses an internment power through the Federal grand jury to force cooperation with investigations into political activities under pain of imprisonment for refusal. The grand jury, a secret proceeding under the direction and control of the government, is used as a tool to intern political people. The government issues subpoenas to a

secret hearing where there is no judge and where defense counsel is barred from attending. The coerced witness can be stripped of his/her fundamental right to remain silent and forced to answer all questions about political associations and activities. A refusal to appear or answer results in civil contempt penalties of up to 18 months or criminal contempt, which has no maximum limit of sentence.

The evidence showed that scores of activists in political movements have been imprisoned over the last fiftenn years through this process. The government has even re-subpoenaed activists who have already served time in prison for refusing to collaborate with grand juries, in full knowledge that the person has not collaborated and will not do so in future. This effectively constitutes internment without trial or just cause.

The evidence also showed that political activists are often charged with violations of broad conspiracy laws which rely on evidence of political associations and beliefs to prove "criminal" agreements. The Tribunal heard about two special statutes, Seditious Conspiracy and the Racketeer Influenced Corrupt Organizations (RICO) Act, which specifically allow for the criminalization of membership in political organizations and national liberation movements. These statutes have been used to incarcerate political activists with lengthy sentences. The Seditious Conspiracy law specifically criminalizes opposition to U.S. governmental authority and has been used particularly against the Puerto Rican independence movement to criminalize its resistance to colonialism. Under this law a mere agreement to oppose U.S. authority with force, without proof of any act taken in furtherance of that agreement, is subject to a twenty year sentence.

Political prisoners in the U.S. are also victims of false charges and prosecutions in which evidence favorable to the accused is deliberately suppressed. The Tribunal was presented with evidence of three particularly serious cases: Geronimo Ji Jaga Pratt, Leonard Peltier and Dhoruba Bin Wahad, in which the government deliberately destroyed and concealed evidence which would have established their innocence.

Those charged with politically motivated offenses are frequently held in preventive detention. Specifically, the evidence showed that the U.S. government's use of the Bail Reform Act of 1984 violates international law by designating as "dangerous to the community" persons who struggle for self-determination and in opposition to U.S. policies. This statute enables the government to jail its opponents for years without trial by means of indefinite preventive detention, thus denying the right to speedy trial or to release pending trial. When the FBI arrested fifteen Puerto Rican independentists on August 30, 1985, the government invoked this law to detain every accused. In spite of the community's clamor for these activists to be released, the courts found almost all of those arrested to be a "danger" to the community and held them under punitive isolation for periods between 18 months to almost four years without trial. The last to be released, Filiberto Ojeda Rios, who had had triple by-pass open heart surgery, was released only

because the U.S. courts held that his lengthy pretrial custody had become an embarrassment to U.S. democracy. Ojeda was redetained for another year within three months of his release, as a result of a three year old charge arising out of his original arrest.

Excessive pretrial detention violates international law provisions Article II (1) of the Universal Declaration of Human Rights and Article 9 (3) of the International Covenant on Civil and Political Rights, as well as Article 8 (1) of the American Convention of Human Rights, 1969.

The Tribunal also received evidence of a series of repressive measures employed in political trials. Of particular concern was the evidence indicating a deliberate attack by the U.S. government on the independence and impartiality of the trial jury. The media have been used to poison attitudes in the community from which that jury will be selected. Just as disturbing is the use of "anonymous" trial juries. Under the latter system, by declaring the necessity to keep jurors' identities secret, those same jurors are inevitably prejudiced into believing that they have cause to fear the political defendants. This fear is further exacerbated by the intentional and excessive militarization of courtroom security employed to turn political trial courts into armed encampments. The Tribunal was informed of the use of multiple metal detectors, concrete bunkers, armed marshals, sharp-shooters on roofs adjacent to courthouses and, in one case, the erection of a special bullet-proof glass partition to separate the accused from the public.

The Tribunal also heard that trial venues are manipulated, particularly in the case of Puerto Rican activists, to deny them a trial in their homeland by their peers. Also, politically accused persons are routinely denied the right to present a full defense, including issues of necessity and justification under international law.

The use of the judicial system to repress political activists violates Articles 6,7,8,9 and 10 of the Universal Declaration of Human Rights and Articles 9 and 14 of the International Covenant on Civil and Political Rights. Such conduct further violates Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, 1966.

We find most disturbing that the U.S. government continues to incarcerate certain Petitioners despite documentary and other proof, disclosed after conviction, conclusively establishing that they did not commit the offenses for which they have been tried.

Excessive and Inhumane Sentences

The evidence showed that the United States government metes out the longest sentences of any country in the world to its political prisoners. Such excessive and disproportionate sentences imposed on persons active in self-determination struggles and in support of those struggles constitute torture, inhuman and degrading treatment in violation of Article 1 of U.N. Resolution 3452 (XXX), the Declaration on Protection from Torture, 1975.

Most of the political prisoners and Prisoners of War are serving the equivalent of natural life in prison. The Puerto Rican POW's, many of whom have already spent more than ten years in prison, have sentences averaging 67 years. The judge who sentenced them stated that he would have given them the death penalty if it had been within his power.

Mumia Abu Jamal currently sits on Pennsylvania's death row under sentence of death. Leonard Peltier has served over 13 years of two consecutive life sentences; Sundiata Acoli is serving life plus thirty years; Herman Bell, Nuh Washington and Jalil Bottom are each serving 25 years to life.

Evidence was presented demonstrating that the political beliefs of Petitioners have been used as a basis to impose, in many instances, sentences of life imprisonment. Moreover, it is clear that the sentences imposed upon Petitioners are grossly disproportionate to sanctions imposed upon members of right wing and/or racist organizations convicted of similar offenses. For example, an assassin of Chilean diplomat Orlando Letelier was permitted in a plea agreement, wherein most charges were dropped, to receive a sentence of 12 years. Conversely, Petitioner Yu Kikumura, arrested with three pipe bombs in his car, was charged with twelve separate offenses and received an aggregate sentence of 30 years.

In 1986, a man convicted for planning and carrying out bombings, without making warning calls, of ten occupied health clinics where abortions were performed received a sentence of ten years and was paroled after 46 months. By contrast, Petitioner Raymond Levasseur was convicted of bombing four unoccupied military targets in protest against U.S. foreign policies and received a total sentence of 45 years.

Another acknowledged abortion clinic bomber received seven years following his arrest in possession of over 100 pounds of explosives in a populous Manhattan apartment building. Petitioners Tim Blunk and Susan Rosenberg, charged with possession of explosives in a storage facility, each received sentences of 58 years.

A Ku Klux Klansman, charged with violations of the Neutrality Act and with possessing a boatload of explosives and weapons to be used in an invasion of Dominica, received an eight year sentence. Petitioner Linda Evans was convicted of purchasing four weapons with false identification and was sentenced to 40 years, the longest sentence ever imposed for this offense in U.S. history.

The evidence also established that Petitioners have been denied parole as a penalty for refusing to renounce their political beliefs and associations.

VII. TORTURE AND CRUEL, INHUMAN AND DEGRADING TREATMENT

As part of the system of repression in the United States, we heard testimony that the government uses the prisons as a key element in its efforts to deny peoples the right to exercise self-determination and disrupt people organizing to oppose U.S. policies. The evidence established that the defendants use political beliefs and associations as a basis for classification and placement in highly punitive and restrictive isolation units.

The testimony of Dr. Stuart Grassian, a psychiatric expert on the serious and harmful effects of long-term isolation and solitary confinement made a profound impression on the Tribunal. Evidence was also received which showed that in the early 1960's the U.S. prisons adopted a policy to put into effect brainwashing practices to "modify" the behavior of political prisoners and resisters.

Further, with full knowledge that conditions of solitary confinement, "small group isolation", and restricted sensory stimulation cause adverse psycho-pathological effects, the evidence also showed that the defendants have created and maintained prisons and control units embodying these conditions, such as the U.S. Federal Penitentiary at Marion, Illinois, the Women's High Security Unit at Lexington, Kentucky, and New York State's Shawangunk Correctional Facility.

The U.S. penitentiary at Marion, condemned by Amnesty International as violating virtually every one of the United Nations Standard Minimum Rules for the Treatment of Prisoners, holds more political prisoners and Prisoners of War than any other prison in the United States. Prison officials place political prisoners at Marion and retain them there for years although they do not meet the stated criteria for assignment there. A U.S. court which found the conditions at Marion to pass constitutional muster was nonetheless forced to describe them as "sordid" and "depressing in the extreme". Locked in their cells over 22 hours daily, the prisoners at Marion are denied meaningful human interaction and essential sensory stimulation. Their visits are non-contact through glass, and they are required to submit to a strip-search before and after visits. Their only source of drinking water is contaminated with carcinogenic chloroform and is reliably suspected of containing dangerous levels of toxins.

The Women's High Security Unit at Lexington, Ky, which was closed in 1988 as the result of a national and international human rights campaign, was also condemned by Amnesty International, which found that the Federal Bureau of Prisons deliberately placed political prisoners there in cruel, inhuman and degrading conditions because of their political beliefs. The conditions included two years of isolation in subterranean cells, daily strip-searches, sleep deprivation and denial of privacy to the extent that male guards were able to observe the women bathing. Expert medical testimony demonstrated that the conditions were calculated to destroy the

women psychologically and physically.

We find that the defendants place political prisoners and prisoners of war in such prisons, and under such conditions, as part of their efforts to destroy them and to repress the struggles which they represent.

The evidence showed that in addition to the use of isolation in control unit prisons, the defendants also use other prison conditions as a means of breaking political prisoners and prisoners of war. These conditions include assassination; torture; sexual assault; strip and cavity searches, including such searches by male staff on women prisoners; punitive transfers; false accusations of violating prison rules; censorship; denial of religious worship; harassment of families; limitation of visits and denial of necessary medical care.

Several political prisoners with cancer have been subjected to lengthy and punitive delays in diagnosis and treatment. The Tribunal received information about Alan Berkman, suffering from Hodgkins Disease, who nearly died several times because prison officials withheld necessary medical treatment and refused to place him in an appropriate medical facility; Kwasi Balagoon, suffering with AIDS, who was not diagnosed until ten days before his death; Silvia Baraldini's palpable abdominal lumps were ignored for months, only to reveal that she had an aggressive form of uterine cancer.

The evidence also showed that the courts of the U.S. have consistently condoned and sanctioned the application of such punitive and harmful conditions and their application to political prisoners and prisoners of war.

We find that the defendants' treatment of political prisoners and prisoners of war constitutes torture, cruel, inhuman and degrading treatment in violation of Article 6 the Universal Declaration of Human Rights and contravenes most of the United Nations Standard Minimum Rules for the Treatment of Prisoners. The U.S. Government is also in breach of the First, Eighth and Fourteenth Amendments to the Constitution of the United States and their equivalent provisions in the various state constitutions; the Declaration on the Protection of All Persons from being Subjected to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Covenant on Civil and Political Rights; the American Declaration of Human Rights and the Geneva Convention and the protocols thereto.

VERDICT

Based on the factual and legal foundations stated above, the Special Tribunal declares:

1) Within the prisons and jails of the United States exist substantial numbers of Political Prisoners and Prisoners of War.

2) These prisoners have been incarcerated for their opposition to U.S. government policies and actions that are illegal under domestic and international law, including the denial of the right to self-determination, genocide, colonialism, racism and militarism.

3) The U.S. government criminalizes and imprisons persons involved in the struggles for self-determination of Native Americans, Puerto Ricans, and Black and Mexicano-Chicano activists within the borders of the United States.

4) Those peoples legitimately struggling for national liberation are not to be treated as criminals, but must be afforded the status of Prisoners of War under the Additional Protocol I to the Geneva Convention.

5) The U.S. government also criminalizes and imprisons white North-Americans and others who have worked in solidarity with struggles for self-determination as well as for peace and against nuclear arms, against racism, sexism and other forms of discrimination.

6) The criminal justice system of the U.S. is being used in a harsh and discriminatory way against political activists in the U.S.

7) The use of surveillance, infiltration, grand juries, preventive detention, politically-motivated criminal conspiracy charges, prejudicial security and anonymous trial juries deprive political activists of fair trials guaranteed under domestic and international law.

8) Political people have been subjected to disproportionately lengthy prison sentences and to torture, cruel, inhuman and degrading treatment within the U.S. prison system.

Further the Tribunal calls on the U.S. government to:

1) Release all prisoners who have been incarcerated for the legitimate exercise of their rights of self-determination or in opposition to U.S. policies and practices illegal under international law; and

2) Cease all acts of interference and repression against political movements struggling for self-determination or against policies and practices illegal under international law.

Frank Badohu, Ghana

Jawad Boulus, Palestine

Lord Anthony Gifford, United Kingdom

Norman Paech, Germany

José Roberto Rendón Vásquez, Perú

Celina Romany, Puerto Rico

Toshi Yuki Tanaka, Australia

George Wald, US

The Special International Tribunal on Political Prisoners and Prisoners of War in the United States received testimony from the following witnesses:

Dr. Imari Obadele	Representative of the Black Movement.
Ms. Assata Shakur	Former Political Prisoner. (Videotape disposition)
Ms. Eve Rosahn	Representative of the White North American anti-imperialists.
Sister Anne Montgomery	Former political Prisoner and representative of the Plowshares communities.
Ms. Elizabeth Murillo	Representative of the Mexican people living within the borders of the U.S.
Ms. Rita Zengotita	Representative of the Puerto Rican National Liberation Movement.
Mr. Jorge Farinacci	Puerto Rican Activist in the National Liberation Movement, and on bond awaiting criminal trial.
Mr. Bobby Castillo	Former political prisoner and representative of the Native Americans.
Mr. Ward Churchill	Representative of the Native Americans.
Mr. Michael E. Deutsch	Expert on U.S. repressive strategy against movements opposing US policy and seeking self-determination.
Ms. Mary O'Melveny	Expert on disparate sentencing.
Ms. Patricia Levasseur	Former political prisoner.
Mr. Majid Barnes	Representative of the Black Movement
Ms. Alberta Africa	Former political prisoner and member of MOVE.
Dr. Stuart Grassian	Expert on the pyschopathological effects of long-term solitary confinement.
Mr. Rafael Cancel Miranda	Former political prisoner and representative of the Puerto Rican National Liberation Movement.
Mr. Dhoruba Bin Wahad	Former political prisoner and representative of the Black Movement in the U.S.
Mr. Bob Robideau	Former political prisoner, member of the Native American Movement.
Professor Francis Boyle	Expert on International Law.

Mr. Jaime Delgado	Former political prisoner and representative of the Puerto Rican National Liberation Movement.
Ms. Jill Soffiyah Elijah	Expert on conditions of confinement of political prisoners and pows in the U.S.
Mr. William Guillermo Morales	Former prisoner of war (by videotape deposition)

Documents Submitted by the Movements

Brief in Support of New Afrikan Political Prisoners and Prisoners of War, Imari Obadale, Kwame Afah, Chokwe Lumumba and Ahmed Obafemi

Report of the International Indian Treaty Council.

"We Will Remember", Leonard Peltier Defense Committee.

Memorandum of Support and Clarification, American Indian Movement of Colorado.

Agents of Repression, Ward Churchill and Jim Vander Wall.

The Cointelpro Papers, Ward Churchill and Jim Vander Wall.

FBI COINTELPRO documents on the Puerto Rican independence, Black, Native American, Mexican and Anti-imperialist movements

Los Medios de Represión Utilizados por el Gobierno de los Estados Unidos en Control del Pueblo de Puerto Rico y Sus Medios de Liberación Nacional y los Intentos de Criminalizar la Lucha Puertorriqueña por la Independencia, Comité Unitario Contra la Represión y por la Defensa de los Presos Políticos (CUCRE)
(Repressive Measures used by the US Government to Control the People of Puerto Rico and their Means of National Liberation and the Attempts to Criminalize the Struggle for Puerto Rican independence, the Unitary Committee Against Repression and for the Defense of Political Prisoners) (CUCRE).

Alvaro Hernández and Alberto Aranda, Chicano Political Prisoners. Committee to Free Alvaro Hernández and Alberto Aranda and the Movimiento de Liberación Nacional Mexicano.

Statement of Eve Rosahn.

Statement of Sister Anne Montgomery

Documents Submitted by Former Political Prisoners

Statement of Majid Barnes

Overview of the Black Struggle in the United States as it Relates to Political Repression and United States Domestic Policies of Genocide, Dhoruba Bin Wahad

The Case of Dhoruba Bin Wahad and the Existence of Black Political Prisoners in the United States, Dhoruba Bin Wahad & Robert J. Boyle

Affidavit of Dhoruba Al-Mujahid Bin Wahad

The State of Black America 1990, The Urban League.

Statement of Alberta Africa.

Statement of Jorge Farinacci.

Leonard Peltier Writ of Habeas Corpus

Affidavit of Attorney Bruce Ellison

Statement of Patricia Helen Levasseur

Transcript of Interrogation of Jeremy Manning

Legal Dossiers of Political Prisoners and Prisoners of War held in the United States, submitted by Freedom Now! Campaign for Amnesty and Human Rights for Political Prisoners in the United States.

Documents Submitted by Expert Witnesses

Political Prisoners and the Denial of Fair Trials, Michael E. Deutsch.

"The Improper Use of the Federal Grand Jury: An Instrument for the Internment of Political Activists", Michael Deutsch, 75 Journal of Criminal Law and Criminology, 1159 (1984).

"New Developments in U.S. Judicial Repression: the Use of Counter-Insurgency Methods Against the Puerto Rican Independence Movement", Michael Deutsch, The National Lawyers Guild Practitioner (Winter, 1988).

Memorandum on Disparate Treatment of Political Prisoners and Prisoners of War by United States Authorities on Sentencing and Parole Eligibility, Mary O'Melveny.

Conditions on Confinement, Jill Soffiyah Elijah.

Report of International Jurists' Visit with Human Rights Petitioners in the United States (1979) Report and Findings.

Report of Amnesty International on the United States Penitentiary at Marion, Il (1987).

Report of Amnesty International on the Women's High Security Unit at Lexington , KY (1988).

The Right of Citizen Resistance to State Crimes, Francis Boyle (1990).

"Preserving the Rule of Law in the War Against International Terrorism", Francis Boyle , 8 Whittier Law Review 735 (1986).

"The Hypocrisy and Racism Behind the Formulation of U.S. Human Rights Foreign Policy: in Honor of Clyde Ferguson", Francis Boyle, 16 Social Justice 71 (1988).

Written Statements by Individual Petitioners